

VPI/97-104 CON

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS FOR DESIGNING INHIBITORS OF SERINE/THREONINE KINASES AND TYROSINE KINASES

the specification of which

(check [X] is attached hereto
one)

[] was filed on _____ as
Application Serial No. _____
and was amended on _____.
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

[illegible]

(Number)	(Country)	(Day/Month/Year Filed)	[] Yes	[] No
(Number)	(Country)	(Day/Month/Year Filed)	[] Yes	[] No

<u>09/025,580</u> (Application Serial No.)	<u>Feb. 18, 1998</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>PCT/US99/03181</u> (Application Serial No.)	<u>Feb. 16, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Michael Shin-San Su

First Inventor's signature _____ Date _____

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Full name of second joint inventor Ted Fox

Second Inventor's signature _____ Date _____

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Full name of third joint inventor Keith Philip Wilson

Third Inventor's signature _____ Date _____

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Full name of fourth inventor Ursula A. Germann

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
VPI/97-104

Applicant, Patentee, or Identifier: Michael S. Su et al.
Application or Patent No.: Filed herewith
Filed or Issued: herewith
Title: METHODS FOR DESIGNING INHIBITORS OF SERINE/THREONINE KINASES AND
TYROSINE KINASES

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Vertex Pharmaceuticals Incorporated

ADDRESS OF SMALL BUSINESS CONCERN 130 Waverly Street, Cambridge, Massachusetts
02139

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control it.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

- Each person, concern, or organization having any rights in the invention is listed below:
☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Richard Aldrich

TITLE OF PERSON IF OTHER THAN OWNER Senior Vice President/Chief Business Officer

ADDRESS OF PERSON SIGNING 130 Waverly Street, Cambridge, MA 02139

SIGNATURE [Signature] DATE Feb 17, 1998